

### **REMARKS**

Claims 3-4, 6-9, 11-16, 18, and 20-23 remain in the application. Claims 1-2, 5, 10, 17, and 19 have been cancelled without prejudice or disclaimer of the subject matter contained therein. Claim 3 has been amended. Claims 6-7 were designated “Original” in the previous Amendment with proposed changes. Those amendments are presented again above with the proper designation for their status.

### **Claim Rejections under 35 U.S.C. § 112**

Claims 3, 4, 6-9, 11-16, 18, and 20-23 were rejected under 35 U.S.C. § 112, second paragraph as failing to distinctly claim the invention. First, with respect to the statement “the content” in claims 21-23, each of these claims recites “HTML or XML content” earlier in the claim. Thus, the phrase “the content” does have antecedent basis. Claim 3 has been amended to correct the noted antecedent basis issue. In view of the above, reconsideration and withdrawal of the rejection of claims 3, 4, 6-9, 11-16, 18, and 20-23 under 35 U.S.C. § 112, second paragraph is respectfully requested.

### **Claim Rejections under 35 U.S.C. §§ 102 and 103**

Claims 21, 3, 4, 6, 7, 22, 11-16, 18, 20 and 23 were rejected under 35 U.S.C. § 102(e) as being anticipated by US Published Application No. 2001/0042081 to MacFarlane et al. (“MacFarlane”). Claims 8-9 were rejected under 35 U.S.C. § 103(a) as being unpatentable over MacFarlane in view of U.S. Patent No. 6,374,300 to Masters.

The newly cited MacFarlane reference refers to paring documents that are to be displayed (e.g., HTML documents). In particular, MacFarlane is concerned with reducing a documents

size, which is important for devices that have a limited bandwidth connection to the Internet (e.g., cellular telephones; see para. 0021). To that end, if the entire document includes text and video graphics, it may be that the receiving device does not have an installed application to display the video graphics. Accordingly, the user application identifies which portions of the document that are not going to be needed. The server can then send only those portions (i.e., paring down the document) to those portions that the user's applications support. In this example, the video graphics of the document would not be transmitted by the server to the user because the user does not have the application to support it.

In the Office Action it is stated that the developer inserts information into the content of the document. Though it is true that a developer will generate the contents of a document, the documents in MacFarlane are for general-purpose distribution to any of a variety of users. When a user submits a request that would indicate which applications it (the user) supports (see para. 0057). The server, using its paring method, reviews the document and creates a pared document that excludes portions of the document that are not supported by the identified applications of the user (para. 0059). It does not appear that a developer is providing any further input to the document after it has been pared and it does not appear that a developer is inserting information into the content in the manner discussed in the claims.

In claim 21, the information inserted by the developer is made part of the generated HTTP header and that information is to be used by an Internet cache to determine how long to store the HTML or XML content associated with the HTTP header. Though paragraphs 0087-0091] refer to creating a header with expiration information, there is nothing in MacFarlane that teaches or suggests that such information was inserted by the developer into the content of the document, searched for and used in creating the header as recited in the claim. Similar limitations are found in the other claims.

Masters fails to make up for the deficiencies of MacFarlane. Masters concerns routers and does not teach or describe inserting information into a document, searching for it and creating header with the information so as to control an Internet cache as recited in each of the

independent claims. Since features are neither taught nor suggested by the MacFarlane and/or Masters references, reconsideration and withdrawal of the rejection of claims 3-4, 6-9, 11-16, 18, and 20-23 under 35 U.S.C. §§ 102(e) and 103(a) is respectfully requested.

### CONCLUSION

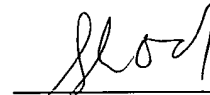
For all the above reasons, the Applicant respectfully submits that this application is in condition for allowance. A Notice of Allowance is earnestly solicited.

The Examiner is invited to contact the undersigned at (202) 220-4255 to discuss any matter concerning this application. The Office is hereby authorized to charge any additional fees or credit any overpayments under 37 C.F.R. § 1.16 or § 1.17 to Deposit Account No. 11-0600.

Respectfully submitted,  
KENYON & KENYON

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By: \_\_\_\_\_

  
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